

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD**

**CIVIL APPLICATION NO. 2958 OF 2015  
IN  
WRIT PETITION NO. 2683 OF 2012**

Gangabai D/o Deorao Kadam,  
Age: 80 years, Occ. Household work,  
R/o Borwand, Tq. And District  
Parbhani, Through General Power  
of Attorney holder-  
Ishwar s/o Ashokrao Khare,  
Age: 36 Yrs., Occu. Agril.,  
R/o Purna, Tq. Purna,  
District Parbhani.

...Applicant

versus

Sayed Ahmed Hussain alias  
Sayed Mannan s/o Ali Hasan,  
Age: 77 Yrs., Occu. Agri. And  
Business, R/o Lala Mill Compound,  
Purna, Tq. Purna, Dist. Parbhani  
& Ors.

...Respondents

.....  
Mr. N. P. Patil Jamalpurkar, Advocate for applicant.  
Mr. S. G. Chapalgaonkar, Advocate for respondent Nos. 1 to 3.  
Mr. U. M. Indani, Advocate for respondent Nos. 5 and 6.  
.....

**CORAM : N.W. SAMBRE, J.**

**DATE : 6TH APRIL, 2015**

**ORAL ORDER :**

. This is an application taken out by the present petitioner  
with following prayers (B) & (C).

“(B) To restrain Respondent Nos. 1 to 4, their  
servants, agents, or anybody acting through or under

them, from creating any third party interest in respect of land Survey No. 149, situated at Purna, Tq. Purna, District Parbhani;

( C ) To restrain Respondent Nos. 1 to 4, their servants agents, or anybody acting through or under them, from changing the nature/structure of land Survey No. 149, situated at Purna, Tq. Purna, District Parbhani;”

2. In response to the said civil application, reply is filed for and on behalf of respondent Nos. 1, 3 and 4 and in paragraph-1 thereof it is specifically stated that, the answering respondents have neither any intention to alienate or transfer the said agricultural land nor they have intention to change the user of the land from agriculture and allied purpose. However, the answering respondents needs to carry on the improvement in the agricultural land and also raise the required constructions for allied purposes i.e. goat farms, cattle sheds, sheds for storage of agricultural products, labours etc. Therefore, the allegations made in the Application contrary to the aforesaid facts are denied in toto.

3. The statement is taken on record.

4. In view thereof, no case for interference at this stage, is made out. As such, civil application stands disposed of.

**[ N.W. SAMBRE, J. ]**